

COUNTY COUNSEL

Dennis Wagner

MISSION STATEMENT

To serve and protect the county, its treasury, and its governing body, by providing timely and accurate legal services and aggressively representing the county in litigation. Legal services shall be performed maintaining the highest professional and ethical standards while fostering high morale and productivity in the work place through collaborative efforts dedicated to continuous improvement.

STRATEGIC GOALS

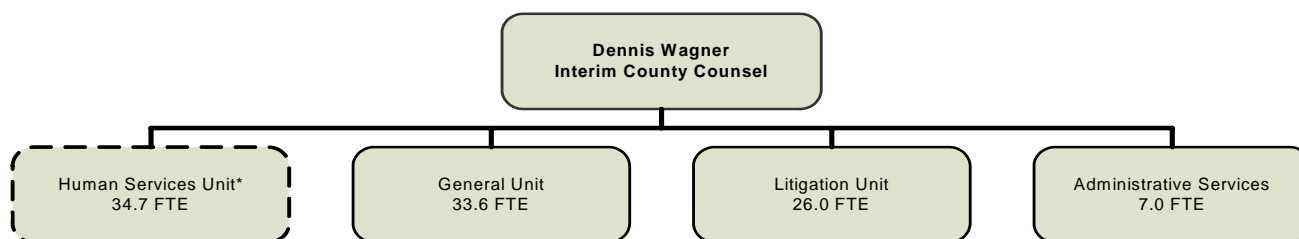
1. Provide accurate, timely and reliable document and contract review and legal advice for the Board of Supervisors, CAO, county departments and other clients in order to help these clients achieve their objectives.
2. Provide exemplary litigation services, by defending actions and decisions, and advocating positions of our clients to assist those clients in achieving their objectives.

As the Office of County Counsel is the legal arm of the county, the above goals highlight certain service areas that are County Counsel's statutory and professional responsibility. Our Office's goals and objectives are to improve the performance of these areas for the benefit of the county and its elected officials and managers.

The first goal represents working with county and other governmental clients to expedite accurate processing of our general advisory function when the County Counsel's Office is called upon to assist its clients in the performance of their obligations. Continuing to increase the efficiency of the County Counsel's Office will amount to a cost saving for the county as a whole in the administration of day-to-day business.

The second goal represents working with county and other clients to ensure the Office renders superior litigation services and tracks the effectiveness of the office by quantifying the results of litigation seeking damages and those cases where the county prevails and receives monetary awards.

ORGANIZATIONAL CHART



* These positions are budgeted in the HS Budget Unit.

County Counsel is normally considered a general fund department even though over 50% of its budget is revenue based. The General Unit is supported by a combination of general fund allocation as well as various departments' providing supplemental funding, such as Sheriff, and some hourly billable clients, such as SANBAG and Omnitrans. The Litigation Unit is almost entirely supported by revenue from Risk Management on an hourly basis, however, from time to time; attorneys in this Unit are required to perform litigation legal services for traditional general fund clients. The Human Services Unit is supported by direct funding from Human Services as well as overflow legal services from the General Unit on an hourly billable client basis. Additional information is available in the following section of this budget.



County Counsel

DESCRIPTION OF MAJOR SERVICES

County Counsel provides civil legal services to the Board of Supervisors, County Administrative Office, county departments, commissions, special districts, and school districts. County Counsel also provides legal services to various joint powers authorities and represents the courts and judges on certain matters. In performing its duties, the County Counsel's Office is divided into three operational units: the Litigation Unit, the Human Services Unit, and the General Unit.

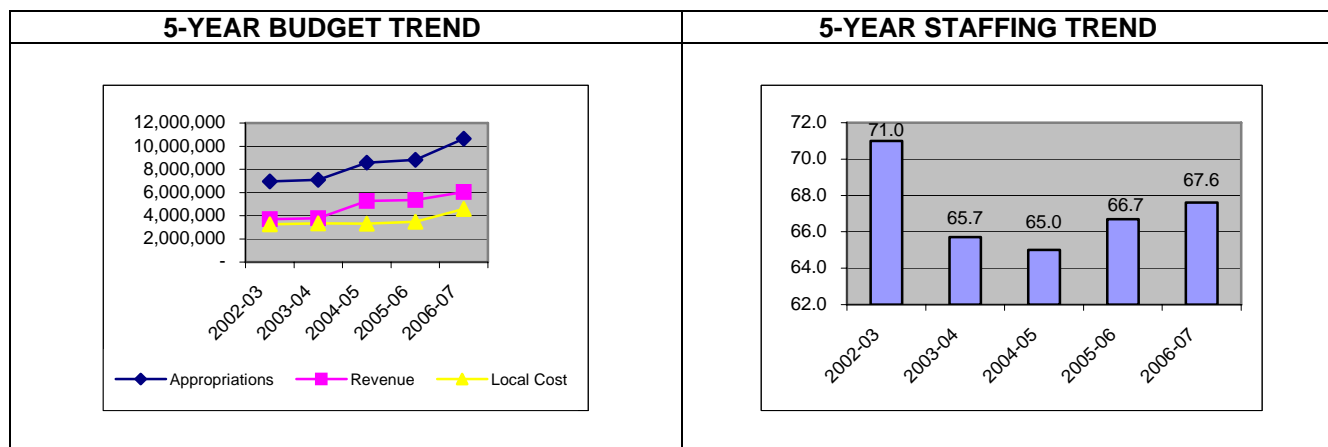
The Litigation Unit handles tort and civil rights litigation, workers' compensation and code enforcement. This Unit is revenue supported. All Litigation Unit clients are billed by the hour for services; the largest client of this Unit is Risk Management.

The Human Services Unit is revenue supported through the Human Services (HS) budget and serves the HS departments. A large portion of this Unit is dedicated to the litigation of juvenile dependency trial and appellate matters for the Department of Children's Services. All of the juvenile dependency litigation is work mandated by law. The remainder of the staff in this Unit serves as general legal counsel, including some litigation, for other HS related departments and entities, such as the Departments of Aging and Adult Services, Transitional Assistance, Preschool Services, Workforce Development Department, Child Support Services, and the IHSS Public Authority and Children and Families Commission.

The General Unit provides legal services to county departments supported by the general fund even though a substantial portion of the General Unit is revenue supported. The revenue supported General Unit attorneys are dedicated primarily to providing legal services to county departments (such as Sheriff and Human Resources) and outside governmental entities (such as SANBAG, OMNITRANS, and Special Districts) which pay for all or a significant portion of their legal services. The remaining General Unit attorneys and clerical staff are supported by the general fund. Therefore, in addition to the County Counsel, Assistant County Counsel and related clerical staff who are also general fund supported, the General Unit has only 9 general fund supported attorneys, including one Chief Deputy, plus clerical staff dedicated primarily to providing legal services to the Board of Supervisors, County Administrative Office, and the county departments and other governmental entities that do not reimburse the office for legal services rendered.



BUDGET HISTORY



PERFORMANCE HISTORY

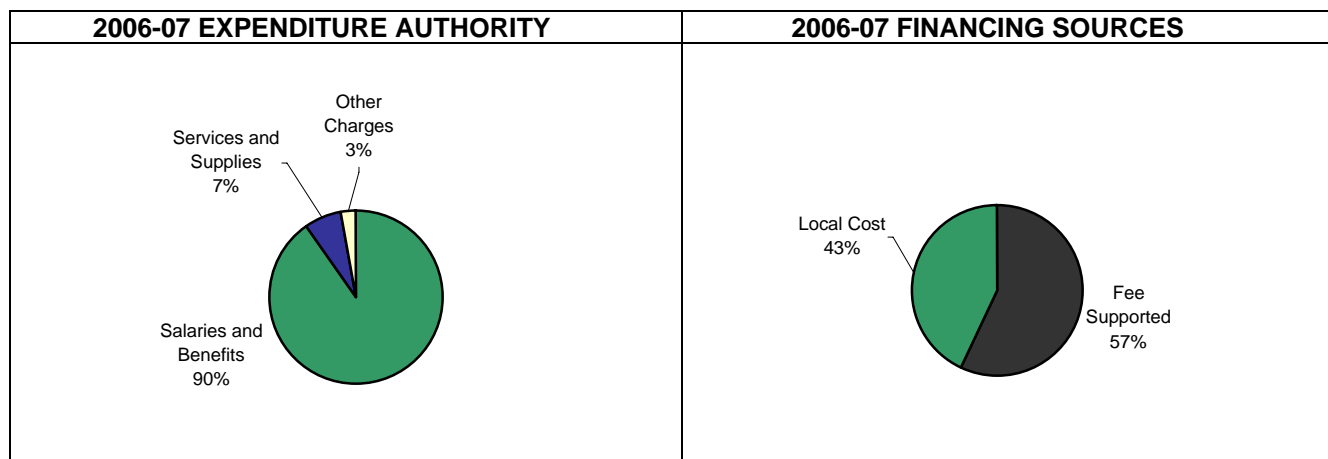
	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Modified Budget	2005-06 Actual
Appropriation	6,453,046	7,042,372	8,118,509	9,585,388	9,145,838
Departmental Revenue	4,250,966	4,097,031	4,911,521	5,348,111	4,656,166
Local Cost	2,202,080	2,945,341	3,206,988	4,237,277	4,489,672
Budgeted Staffing				67.0	

When reviewing the budget history you will find a large change in actuals for prior years compared to 2005-06; the significant change is due to budget reductions in 2002-03 due to the countywide spend down plan. The increases in appropriation over the past three fiscal years reflect cost of living increases, salary adjustments and inflation of operating expenses.

In 2005-06 expenditures were less than budget due to vacancies in attorney positions and delays in hiring attorney staff. Revenue variance is primarily due to unearned revenue due to vacancies within the attorney staff. Though salary savings usually offsets unearned revenue; the department experienced large unanticipated retirements in 2005-06.



ANALYSIS OF FINAL BUDGET



GROUP: Administrative/Executive
DEPARTMENT: County Counsel
FUND: General

BUDGET UNIT: AAA CCL
FUNCTION: General
ACTIVITY: Counsel

	2002-03 Actual	2003-04 Actual	2004-05 Actual	2005-06 Actual	2005-06 Final Budget	2006-07 Final Budget	Change From 2005-06 Final Budget
Appropriation							
Salaries and Benefits	6,382,395	6,998,072	7,281,609	8,420,090	8,086,511	9,614,525	1,528,014
Services and Supplies	737,184	658,902	765,122	573,403	551,939	645,297	93,358
Central Computer	65,269	44,901	59,254	71,451	65,750	90,952	25,202
Equipment	-	-	-	-	-	200,000	200,000
Transfers	-	-	-	80,894	80,131	90,070	9,939
Contingencies	-	-	-	-	40,000	-	(40,000)
Total Exp Authority	7,184,848	7,701,875	8,105,985	9,145,838	8,824,331	10,640,844	1,816,513
Reimbursements	(729,858)	(671,812)	-	-	-	-	-
Total Appropriation	6,454,990	7,030,063	8,105,985	9,145,838	8,824,331	10,640,844	1,816,513
Operating Transfers Out	(1,944)	12,309	12,524	-	-	-	-
Total Requirements	6,453,046	7,042,372	8,118,509	9,145,838	8,824,331	10,640,844	1,816,513
Departmental Revenue							
State, Fed or Gov't Aid	(145)	-	-	-	-	-	-
Current Services	4,251,111	4,097,031	4,910,634	4,654,051	5,348,111	6,051,944	703,833
Other Revenue	-	-	887	2,115	-	-	-
Total Revenue	4,250,966	4,097,031	4,911,521	4,656,166	5,348,111	6,051,944	703,833
Local Cost	2,202,080	2,945,341	3,206,988	4,489,672	3,476,220	4,588,900	1,112,680
Budgeted Staffing					66.7	67.6	0.9

In 2006-07, County Counsel will incur increased costs to maintain current services, such as negotiated labor agreements and retirement, but will experience decreased costs in worker's compensation. This budget unit also will incur increased costs in central computer, operating services, and supplies. These costs are reflected in the Change From 2005-06 Final Budget column, along with changes related to department recommendations.

Additionally, County Counsel has increased salaries and benefits as a result of the addition of 1.0 attorney position; this position is 100% fee supported and results in no additional general fund financing. This position will be supporting several of our billable clients such as Consortium-IV, Children and Families Commission, Redevelopment Agency and Solid Waste. However, budgeted staffing reflects an overall net decrease of 0.1 due to the reduction in hours equivalent to 1.1 budgeted staffing for the extra-help Attorney positions. The revenue increase is due to additional revenue to be earned for a new attorney hired in 2005-06.

FINAL BUDGET CHANGES



The Board approved an appropriation increase of \$185,800 for 1.0 additional general unit advisory/transactional attorney. This position is vital to maintaining timely responses and preventing delays in handling the current and increasing legal needs of the general fund clients.

The Board approved an appropriation increase of \$200,000 for an upgrade of the computer systems hardware and software. This upgrade will provide a more efficient Microsoft supported system.

The Board approved an appropriation and revenue increase of \$480,000 for the increased attorney fee due to MOU and retirement increases. This fee increase puts the attorney fee in alignment with COWCAP and will recover the increased costs of the attorneys.

The Board approved an appropriation and revenue increase of \$38,750 for the increased paralegal fee which is due to salaries and benefit adjustments. This fee puts the paralegal fee in alignment with COWCAP and will recover the costs of the paralegal.

The Board also approved an appropriation increase of \$800 for Fleet Management rate adjustments.

PERFORMANCE MEASURES		
Description of Performance Measure	2005-06 Actual	2006-07 Projected
Percentage of contracts that are reviewed and revised within two-weeks of receipt.	N/A	85%
Percentage of clients who ranked satisfactory or above on advice they received by attorneys which was clear, relevant and timely.	N/A	85%
Percentage of cases being litigated that resulted in resolution in favor of the county or within liability targets.	N/A	85%
Increase General Unit Attorney service hours.	N/A	50%
Upgrade computer systems hardware/platform software.	N/A	100%

